

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AXION POWER INTERNATIONAL, INC., )  
WILLIAM and TRACY AHEARN, h/w, )  
SALLY FONNER, and JAMES SMITH, M.D. )

Plaintiffs, )

- against - )

MERCATUS & PARTNERS, LTD., MF )  
GLOBAL, INC., MF GLOBAL, UK, Ltd, )  
CARI MASI a/k/a CARY MASI, BNP )  
PARIBAS SECURITIES SERVICES, BANCA )  
MB S.p.A., DWIGHT PARSCALE, )  
STEPHANO CEVALO, CONTINENTAL )  
STOCK TRANSFER AND TRUST )  
COMPANY, PENSON FINANCIAL )  
SERVICES, INC., AND BROWN )  
BROTHERS HARRIMAN & CO, )

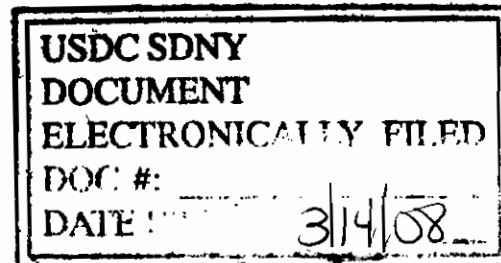
Defendants. )



No.: 07 CV 11493 (RWS)

ECF Case

STIPULATION



IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that the date by which defendant Banca MB S.p.A, must answer, move or otherwise respond to the Complaint dated December 20, 2007, is extended to and including April 7, 2008; and

IT IS FURTHER STIPULATED AND AGREED that this stipulation shall not be deemed a waiver of any rights, arguments or defenses available to the parties or in any way impair such rights, arguments or defenses; and

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed in counterparts, and a signature transmitted by telecopier or pdf image may be filed as an original.

Dated: New York, New York  
March 10, 2008

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By: 

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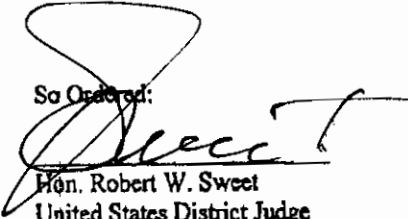
By: 

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Attorneys for Defendant  
Banca MB S.p.A.

So Ordered:

  
Hon. Robert W. Sweet  
United States District Judge

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CERTIFICATE OF SERVICE

The undersigned, an attorney duly admitted to practice law before this Court, hereby certifies under penalty of perjury, that on March 10, 2008, I caused a true copy of the *Stipulation* to be served upon the following parties by first-class mail:

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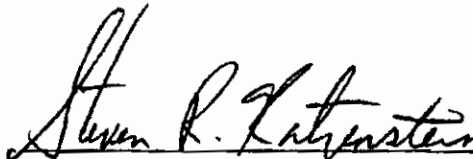
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Dated: New York, New York  
March 10, 2008

  
Steven R. Katzenstein